App F IX 4

Previous References
Ml Def No 406/49

1948-49
(Ml)

File No 88-48
Serial Nos 59

Later References

GENERAL AND REVENUE SECRETARIAT

Serial Nos One

Part B for March '49

SUBJECT

Exemption from the payment of octroi to the Bangalore City Municipality in respect of 14 bundles of Tarpaulins supplied by Messrs Abdul Gurreem & Sons to the Genl Manager, Mysore Road Transport Service

To

The Secy, S P C, Bangalore

No L 10904/D 24-3-49

Vetoes the proposal.

WD 010861—GPB—25,000—15-9-50

Ml 5535 Grant of exemption from payment of octroi payable to the Bangalore City Municipality in respect of 14 bundles of Tarpaulins supplied by Messrs Abdul Careem & Sons, to the General Manager, Mysore Road Transport Service

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PUB) Letter No SPC 18017 dated 15th/21st January 1949 from the Secretary, Stores Purchase Committee, Bangalore on the above subject

The Secretary, S P C. states that the General Manager, Mysore Road Transport Services placed an indent with Messrs Abdul Careem & Sons Bangalore City for supply of Tarpaulins and that the Bangalore City Municipality has charged octroi duty on 14 bundles of tarpaulins which are stated to have been supplied by the firm for being supplied to the above mentioned Govt Dept. the reason urged by the Municipality is that the goods are not Govt property to come under the exemption rule, at the time of import and it is according to the bye laws in force in the Municipality now

2)

UC 47
5-5-35

Grant of exemption from octroi in respect of
Tarpaulins supplied by Messrs Abdul Careem
& Sons to the Mysore Road Transport ~~Co~~ Services

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2) The Secy PC however Contends that
the supply by the Contractor is for a
Govt Dept and that thus is enough
to grant them exemption and
that it is not always possible for
the Govt Depts to suspend the material
in their name This point has been
clearly discussed in the "Law" file in Linked Hearth
~~Kept below~~ Flag IV) in respect of supplies
of 19 bales of CP Sheets (Khaki cloth)
by this very firm, Messrs Abdul
Careem & Sons to the PWD Dept,
and the Dy of PWD has been
requested to intimate why he
recommended exemption as the
Contractor makes a profit at-
the cost of the Mkty As this case
is identical with the above, (+ with another case in Flag II)
the Secy PC will be informed + Dy-No 406/45-49
that no case is made out for
an exemption He will also be requested
to state whether the quotation of the firm for supply
of tarpaulins was octroi free & whether this was the
understanding from the beginning

A to Dy 2 2 49
Dy 2 2 49

3) Reference is invited to the notes in paras 5 to 7 in the letter file wherein the point raised by the Leg. S.P.C has been dealt with & reasons mentioned therein no exemption from payment of octroi due to the Municipality can be granted by the Govt. S.P.C will, if appd, be refused accordingly

A

4) It might be stated in this connection that the Govt. of Bombay in this matter beyond the taking such a measurement for the S.P.C to it is necessary for the purpose of ascertaining the depth of water to the first depth

B

Subject to the payment of the usual octroi duty to Municipality under the Govt. Res. of the 24th instant by lorry will be levied by the first Municipal

Flag N (reverse)

5535
5734 3

also have reason to complain in such cases the amount which would be saved by these fees be repaid wherever it cannot be considered already taken into consideration in the Contract when fixing the usual commission for this purpose

Le pas to supply of clubs

5) Above are for orders

Sent to dept for 31/2/49

6) The above rates may be approved

31/2/49

Minister (Sports Development) for 7/2/49

TRANSPORT CITY
MUNICIPAL ADMINISTRATION
No 3419
Date 7/2/ 1949

7) approved
P Reddy
28/2

8) Sent with a draft for approval

1/3/49

DOR
3-3-49

7/3/49

issued as DO No 10904/MC 88-48-59
dt 24-3-49 to the Secretary SPC Nilgiris
& copy to MC-Commr Nilgiris

Vetoes the proposal

B
DOR
6/4/49

Please refer to this Office Indent No in all your correspondence

GOVERNMENT OF MYSORE

STORES PURCHASE COMMITTEE

Tel Address STORESEC
Code Bentley's

OFFICE OF THE SECRETARY STORES PURCHASE COMMITTEE
United I d a Build ng Sri Narasimharaja Road

No. P C 18017/21/2

Bangalore City, dated (S India) 15th January 1949 21

To

The Secretary to Government of His Highness the Maharaja of Mysore,
~~Revenue~~ General Department,
Bangalore

Sir,

Grant of Exemption on Government Property

I am directed to state that the General Manager, Mysore Road Transport Services placed an indent with M/s Abdul Cureem and Sons, Bangalore City for the supply of Tarpaulins 14 Bundles of Tarpaulins were imported and the relative Railway Receipt was endorsed in favour of the General Manager, Road Transport Services, to enable him to take delivery of the consignment Though the consignment was certified that it was for the bonafide use of Government, the Superintendent of Octroi and Toll, Bangalore has refused to admit the consignment free of octroi for the reason that the goods were not Goverment property at the time of import A copy of the General Mangger's letter No MRT/2617/47-48 dated 4-12-1948 together with its enclosure is submitted herewith for kind perusal

It may be stated in this connection, that it is not always possible for the Government Departments to import the material in their name In the case of contracts placed for the supply of materials required for more than one Department, it is usual for the contractors to get the consignment in their name and to distribute the material among the Indenting Departments Further, when large consignments are received, it is usual for the Departments for the sake of convenience, to entrust the contractors with the Railway Receipt to clear the consignments at the Railway Station and to arrange for the carriage of the goods to the Stores of the Department

In certain cases, for example, supply of Tallow, Cocoanut etc , it is usual for the local contractors to import the may

P T O

material in their name and subsequently endorse the relative Railway Receipt to the concerned Government Officer Once the Railway Receipt is endorsed to a Government Officer, the consignment becomes Government property

In the above circumstances, I am to state that if octroi were to be levied on goods intended for bonafide consumption by Government, it would defeat the purpose of exemption granted for such goods If a mere technical ground, "that the Railway Receipts are not made out in the name of a Government Officer" were to come in the way of allowing an exemption it seems quite necessary to amend the relative law, because the Railway Receipts cannot always be made out in the name of a Government Officer The certificates of exemption granted by the concerned Government Office who has to receive the goods may have to be honoured by the octroi authorities if the object of granting exemption were to be fulfilled

I am to request that orders of Government may be kindly obtained in this respect and communicated to me at an early date .

Yours faithfully,

Secretary,
Stores Purchase Committee

L 10904 / Ark. 88-48-59

To 24/3/49

The Secretary

Please refer to this Office Indent No in all your correspondence

GOVERNMENT OF MYSORE

STORES PURCHASE COMMITTEE

Tel Address STORESEC
Code Bentley's

OFFICE OF THE SECRETARY STORES PURCHASE COMMITTEE
United India Building Sri Narasimharaja Road

Bangalore City, dated
(S India)

No S P C

Copy of letter No MRT 2617/47-48 dated 4th Decr 48 from the General Manager, Mysore Road Transport Services, Lalbagh Road, Bangalore,

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I have the honour to state that an order was placed with Messers Abdul Cureem & Sons , Chickpet, Bangalore City, for supply of Tarpaulins for the use of the Busses of this Department The Contractors supplied 14 bundles of Tarpaulins and requested for an Octroi Exemption Certificate which was issued by this office

The Octroi Superintendent has stated that as the goods are not Government property at the time of import, the exemption cannot be granted as per rules (copy of the letter is enclosed)

I therefore, request that the action to be taken in the matter may kindly be intimated

"COPY"

Secretary,
Stores Purchase Committee

AGK/-

L 10904 / Ark. 88-48-59

24/3/49

To

The Secretary

4 Copies

Please refer to this Office Indent No in all your correspondence

GOVERNMENT OF MYSORE

STORES PURCHASE COMMITTEE

Tel Address STORESEC"
Code Bentley s

OFFICE OF THE SECRETARY STORES PURCHASE COMMITTEE
United India" B ilding Sri Narasimharaja Road

Bangalore City, dated
(S India)

No S P C

Copy of the letter No O BPR 84/48-9 dated 18-11-48, from the Superintendent, Octroi & Toll, Bangalore to the General Manager, Mysore Road Trarsport Services, Bangalore

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With reference to your letter No1 M R T 1315/48 dated 19th October 1948, regarding exemption on 14 bundles of water proof Tarpaulin received from A Ghat, I write to inform you that the consignment has been received in the name of a private firm and the R R is subsequently endorsed to Mysore Road Transport Services Since the goods are not Government property at the time of import the exemption cannot be given as per rules You are therefore requested to make arrangements to clear duty very early

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("COPY")

Secretary,
Stores Purchase Committee

AGK/-

L 10904 / Mk. 88-48-59

24/3/49

To

The Secretary

4 copies

Address "STORESEC"
Code "REMLEY SL"

Office of the Secretary,
Stores Purchase Committee,
United India Buildings,
Sri Ma[illegible],
Bangalore, Dated 18th March 1949.

No S P C 22061

To

The General Manager,
Mysore Road Transport Services,
Bangalore

Sir,

Exemption of Octroi on Government property

With reference to your letter No 5932 dated 10th March 1949, I am directed to state that the Secretary to the Government General Department, has been addressed in the matter of granting exemption from octroi on Government Property and orders of Government are awaited

Copy of the above is forwarded with compliments to the Secretary, to Government General Department, Bangalore in continuation of this office letter No 18717 dated 21st January 1949

Yours faithfully,

Secretary,
Stores Purchase Committee

AGK/-

Other has been despatched to you vide No L 10904/Mk 88-48-59 dt 24-3-49

L 10904 / Ark. 88-48-59

24/3/49

To

The Secretary,
S P C Bangalore

Subject - Exemption from octroi duty payable to the Bangalore City Municipality on certain articles supplied to Govt Depts by Contractors

Sir,

With reference to your letter No. SPC/8017 dated the 15-12/24-Jan 1949 on the above subject, I am directed to state that the octroi demanded by the Bangalore City Municipality in respect of the tarpaulins supplied by Messrs Abdul Careem & Sons to the Supply Road Transport Services should be refunded to the Municipality as the articles, at the time of their entry belonged to

the Contractor and not to the
Govt and the new taken
by the Municipal Authorities in
this Connection in Connect. being according
to the bye laws in force.
2 Time to be ~~kept~~ that, in future,
a Condition may be inserted in the
tender notification for supply to the
the Govt Depts that the Consignment
is subject to the payment of the usual
octroi due to the local Body under the
bye laws in force and the Sales Tax
levied by the Govt., and the prices
accepted based on the above
Conditions, as otherwise, the
Contractor would be making
a profit at the cost of the
Municipality ~~and the Contractor~~
as he gets the usual Commission from the Govt
and will have included the taxes etc
payable on the finds
in his quotation of tender

Yours faithfully
for Secy to Govt
Industries & General Dept

L10905/III
24/3/66

Copy to C. Medical Commr
Blue Ady for information
for Secy to Govt
Industries & General Dept

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

No H10 904 | HE PF-48-49 General and Revenue Secretariat,

Dated Bangalore, 24-3-1949

FROM

The Secretary to the Government of
His Highness the Maharaja of Mysore
General Department.

To

The Secretary,
Stores Purchase Committee,
Bangalore.

SIR,

Subject: Exemption from Octroi duty payable to the Bangalore City Municipality on certain articles supplied to Government Departments by the Contractors.

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With reference to your letter No.SPC.18017 dated the 15th/21st January 1949 on the above subject, I am directed to state that the octroi demanded by the Bangalore City Municipality in respect of tarpaulins supplied by Messrs.Abdul Curreem & Sons to the Mysore Road Transport Services has to be paid to the Municipality as the articles, at the time of import belonged to the contractor and not to the Government and the view taken by the Municipal Authorities in this connection is correct, being according to the bye-laws in force.

2. I am to suggest that, in future a condition may be inserted in the tender notification for supply of cloth etc., to the Government Departments that the consignment is subject to the payment of the usual octroi due to the local municipality under bye-laws in force, and the sales tax levied by the Government, and the prices accepted based on the above conditions, as otherwise, the contractor would be making a profit at the cost of the municipality as he gets the usual commission from the mills and will have included the taxes etc., payable on the goods in his margin of profit.

Yours Faithfully,

Sd Nur Safdar Hussain

Secretary to Government,
General Department.

P I O

Memo.NO.L. 10905 | HL PP-45-59 — d 14-3-49

Copy of the above is forwarded with compliments to the Municipal Commissioner, Bangalore City, for information.

By Order,

For Secretary to Government,
General Department.

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

No L10 90Ł-1ou—98-48-59 General and Revenue Secretariat,

Dated Bangalore, 14 3 - 1949

FROM

The Secretary to the Government of
His Highness the Maharaja of Mysore
General Department.

TO

The Secretary,
Stores Purchase Committee,
Bangalore.

SIR,

Subject: Exemption from Octroi duty payable to the Bangalore City Municipality on certain articles supplied to Government Departments by the Contractors.

---:0:---

With reference to your letter No.SPC.18017 dated the 15th/21st January 1949 on the above subject, I am directed to state that the octroi demanded by the Bangalore City Municipality in respect of tarpaulins supplied by Messrs.Abdul Curreem & Sons to the Mysore Road Transport Services has to be paid to the Municipality, as the articles, at the time of import belonged to the contractor and not to the Government and the view taken by the Municipal Authorities in this connection is correct, being according to the bye-laws in force.

2. I am to suggest that, in future a condition may be inserted in the tender notification for supply of cloth etc., to the Government Departments that the consignment is subject to the payment of the usual octroi due to the local municipality under the bye-laws in force, and the sales tax levied by the Government, and the prices accepted based on the above conditions, as otherwise, the contractor would be making a profit at the cost of the municipality as he gets the usual commission from the mills and will have included the taxes etc., payable on the goods in his margin of profit.

Yours faithfully,

Sd. Mir Safdar Hussain.

Secretary to Government,
General Department.

Spare Copy for Secy to Govt, Genl Dept— P.T.O